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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/684,898	10/10/2000	Yosuke Shirata	980511B	2212
38834	7590	05/07/2004	EXAMINER	
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP 1250 CONNECTICUT AVENUE, NW SUITE 700 WASHINGTON, DC 20036			NGUYEN, HUNG	
			ART UNIT	PAPER NUMBER
			2851	

DATE MAILED: 05/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/684,898

Applicant(s)

SHIRATA, YOSUKE

Examiner

Hung Henry V Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8,10-13,15,17 and 19-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6,8,10-13,15,17 and 19-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☒ Certified copies of the priority documents have been received in Application No. 09/055,954.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 4, 2004 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6, 8, 10-13, 15, 17 and 19-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hasegawa et al (U.S.Pat. 5,871,587).

With respect to claims 1-6, 8, 10-13, 15, 17, and 19-30, Hasegawa discloses an processing system/method comprising substantially of all of the limitations as claimed such as: an exposure device (121-124) for projecting a pattern formed on a reticle onto a substrate; a first chamber (101) for containing the exposure apparatus; a substrate processing apparatus (131, 132) provided adjacent to the exposure apparatus; a second chamber (130) provided adjacent to the first chamber separately from the first chamber and which encloses the substrate processing

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apparatus; a purity sensor (110) for detecting the data regarding the purity of gas discharged from second chamber (130) and based on the detection, the capacity of gas purification to be supplied into the first chamber is controlled via a controller and adjustment device (106, 111, 112). Thus, in general, Hasegawa teaches two different apparatuses, e.g., a substrate processing apparatus and an exposure apparatus in a substrate processing system, which are located adjacent to each other for consecutive processing operations. In particular, Hasegawa teaches a concept of adjusting/controlling the parameters (for instance, the capacity of gas purification) of the exposure apparatus (apparatus A) based on the data collected from the substrate processing apparatus (apparatus B). Hasagawa does not expressly disclose controlling the environment of the exposure A (based on the measured data detected from the exposure B) such that the environment of at least a portion on a side of the apparatus A (exposure apparatus) becomes **the SAME** as the environment of at least a portion on a side of the apparatus B (substrate processing apparatus). However, Hasagawa further suggests that the helium purity of the exposure apparatus (apparatus A) is adjusted to be not lower than 99.9% based on the purity of the helium detected from the substrate processing apparatus (apparatus B) (see col.5, lines 48-56). In view of such teachings, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teachings of Hasegawa to come up with the invention as claimed. It would have been obvious to a skilled artisan to adjust the environmental condition (such as temperature, humidity or pressure) of **at least a portion** on the side of the substrate processing apparatus/or exposure apparatus as **the SAME** as the environmental condition of **at least a portion** of the exposure apparatus/or substrate processing apparatus (for example: temperature, humidity, or pressure) based on the obtaining data (such as temperature,

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humidity or pressure) from the exposure apparatus/or substrate processing apparatus. The motivation of doing so would have been to keep the environment of both apparatuses at an identical desired condition and thus to improve the accuracy and quality of the exposure/ or substrate processing system.

Response to Amendment/Argument

4. Applicant's amendment filed April 23, 2004 has been entered. Claim 30 has been amended. Applicant's arguments with respect to the prior art have been carefully reviewed but they are not found persuasive. The applicant is reminded that the claimed subject matter to examination will be given their broadest reasonable interpretation consistent with the specification, and limitations appearing in the specification are not be read into the claims. In re Yamamoto, 740 F. 2d 1569, 1571, 222 USPO 934, 936 (Fed.Cir. 1984).

With this in mind, the discussion herein will focus on how the terms and relationships thereof in the claims are met by the references. Response to any limitation that is not in the claims or any argument that is irrelevant to or does not relate to any specific claimed language will not be warranted. In the remarks filed 4/23/2004, Applicant presents the limitations of independent claims and then Applicant argued that "thus, independent claims recite a control device for, or a step of , controlling in such a way that an environment level in one chamber to become the same as the environment level of another chamber" (see page 12, lines 1-3); the Examiner respectfully disagrees with the applicant because this is not quite true. The limitations on which the Applicant relies on (as stated above), are not found in the independent claims. In fact, independent claim (for example claim 1) stated that "in such a manner that the environment of at

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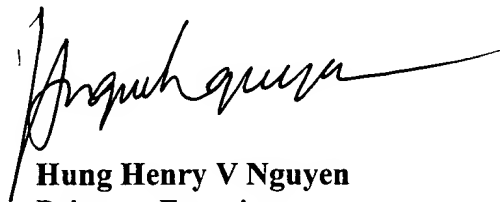
least a portion on a side of said exposure apparatus becomes the same as the environment of at least a portion on a side of said substrate processing apparatus”. In the Examiner’s opinion, the meaning, breadth, and scope of “the environment of at least a portion on a side”, as recited in the claims of the present application is not even close to “controlling in such a way that an environment level in one chamber to become the same as the environment level of another chamber”, as argued. Further, the rejection here is made under 35 U.S.C. 103(a), Hasegawa meets the limitations of the claimed invention since Hasegawa suggests that the helium purity of the exposure apparatus (apparatus A) is adjusted to be not lower than 99.9% based on the purity of the helium detected from the substrate processing apparatus (apparatus B) (see col.5, lines 48-56).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Henry V Nguyen whose telephone number is 571-272-2124. The examiner can normally be reached on Monday-Friday (First Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Russ Adams can be reached on 571-272-2112. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Hung Henry V Nguyen', with a long horizontal stroke extending to the right.

Hung Henry V Nguyen
Primary Examiner
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hvn
5/2/04